

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ROSA M. LUGO TORRES, et al.

Plaintiffs

v.

WALTER TORRES MALDONADO, et
al.

Defendants

CIVIL NO. 97-2440 (JAG)
CIVIL RIGHTS, DAMAGES,
INJUNCTION

ORDER

The instant case concerns, among others, the Southwestern Consortium, a partnership of different Puerto Rico municipalities, which is one of the defendants in this case.

On June 13, 2003, upon a successful settlement conference among the parties, the court issued the following "*Settlement Conference Report*" (Docket No. 193).

The Court met with counsel for a settlement conference. Following discussion, the parties have agreed to settle the case for the total amount of \$600,000, to be apportioned among plaintiffs as they deem appropriate. Payment of the settlement amount shall occur within 120 days from the date of this Order.

The Court will enter judgment dismissing the case without prejudice pending payment of the stipulated amount. After payment is made, the parties shall move the Court for entry of an amended judgment dismissing the case with prejudice.

A judgment in accordance with the foregoing order was issued on even date (Docket No. 194). Accordingly, payment of the settlement amount was due one hundred and twenty (120) days after, October 11, 2003. All the municipalities comprising defendant Southwestern Consortium have paid their shares on the judgment, except for the Municipality of Maricao.

Before the Court is now plaintiffs' "*Motion for Writ of Execution*" (Docket No. 241). In spite of numerous opportunities extended to the Municipality of Maricao to satisfy their share on the pertinent judgment, it is still in arrears in the amount of \$30,000.00. The last of such opportunities was granted to the Municipality of Maricao on March 17, 2004 (Docket No. 239), when this Court noted:

The Municipality of Maricao is hereby advised that they have until April 21, 2004 to deposit the remaining funds. No further extensions shall be granted. In addition, should the Municipality not deposit the funds by the due date, this Court shall impose sanctions in the amount of one thousand dollars (\$1,000.00) per day for each day of noncompliance after the deadline.

The Municipality of Maricao has not complied with the Court's March 17, 2004 order, nor has it even informed the Court of any good reason for its noncompliance. Plaintiffs' motion for

a writ of execution is hereby **GRANTED**. The Clerk of the Court is hereby ordered to issue a writ of execution instructing the Marshall of this Court to attach goods, chattels, land and tenements in the District of Puerto Rico belonging to the Municipality of Maricao in an amount sufficient to cover the payment of \$30,000.00 to the plaintiffs, interest at the legal rate as of this date and also costs that may accrue to the Court in enforcing the writ of execution, and to return the writ to the Court thereupon.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 29th of April, 2004.

S/ JAY A. GARCIA GREGORY
United States District Judge